

JUSTICE

Budget Summary						FTE Position Summary				
Fund	2014-15 Adjusted Base	Request		2015-17 Change Over Base Year Doubled		2014-15	Request		2016-17 Over 2014-15	
		2015-16	2016-17	Amount	%		2015-16	2016-17	Number	%
GPR	\$48,431,300	\$51,307,600	\$51,446,700	\$5,891,700	6.1%	392.58	397.58	397.58	5.00	1.3%
FED	24,995,100	23,740,700	23,748,800	- 2,500,700	- 5.0	42.33	41.13	41.13	- 1.20	- 2.8
PR	50,314,500	52,536,400	52,744,900	4,652,300	4.6	238.08	248.38	248.38	10.30	4.3
SEG	<u>394,600</u>	<u>387,500</u>	<u>388,200</u>	<u>- 13,500</u>	- 1.7	<u>2.75</u>	<u>2.75</u>	<u>2.75</u>	<u>0.00</u>	0.0
TOTAL	\$124,135,500	\$127,972,200	\$128,328,600	\$8,029,800	3.2%	675.74	689.84	689.84	14.10	2.1%

Major Request Items

1. STANDARD BUDGET ADJUSTMENTS

GPR	\$6,223,700
PR	1,114,500
FED	- 91,500
SEG	<u>- 13,500</u>
Total	\$7,233,200

Request adjustments to the base totaling \$3,069,800 GPR, \$499,200 PR, -\$49,800 FED, and -\$7,100 SEG in 2015-16, and \$3,153,900 GPR, \$615,300 PR, -\$41,700 FED, and -\$6,400 SEG in 2016-17. Adjustments are for: (a) turnover reduction (-\$602,700 GPR and -\$134,200 PR annually); (b) full funding of continuing position salaries and fringe benefits (\$2,997,600 GPR, -\$282,200 PR, -\$67,100 FED, and -\$22,800 SEG annually); (c) reclassifications and semiautomatic pay progression (\$114,100 PR and \$17,300 FED in 2015-16 and \$192,900 PR and \$25,400 FED in 2016-17); (d) overtime (\$151,200 GPR, \$533,800 PR, and \$11,000 SEG annually); (e) night and weekend differential pay (\$9,600 GPR and \$2,200 PR annually); and (f) full funding of lease and directed move costs (\$514,100 GPR, \$265,500 PR, and \$4,700 SEG in 2015-16, and \$598,200 GPR, \$302,800 PR, and \$5,400 SEG in 2016-17).

2. STANDARD BUDGET ADJUSTMENTS -- MINOR TRANSFERS WITHIN ALPHA APPROPRIATIONS

Request the following transfers within appropriations:

a. Transfer \$794,400 PR annually within the interoperable communications system appropriation from funding for supplies and services to aid to individuals and organizations. The transfer would reflect monies which DOJ pays to the Department of Transportation to contribute to the operation of the Wisconsin Interoperable System of Communications (a public safety interoperable communication system that permits emergency responders statewide to communicate with each other).

b. Transfer \$91,100 FED annually within the Legal Services federal aid appropriation

from funding for rent to supplies and services. The Department of Justice indicates that the base funding for rent within this appropriation (\$157,700) exceeds the needed amount.

c. Transfer \$18,700 FED annually within the Administrative Services indirect cost reimbursements appropriation from funding for rent to supplies and services. Base funding for rent within this appropriation is \$18,700.

3. POSITION REALLIGNMENT

Request -\$6,400 GPR, \$16,900 PR, -\$10,500 FED, 0.20 PR positions, and -0.20 FED positions annually, as well as transfers between appropriations, in order to align the funding of certain positions with statutory purposes. According to the Department, during the 2013-15 biennium, the responsibilities of various positions changed due to reorganizations and DOJ assuming new responsibilities following the dissolution of the Office of Justice Assistance under 2013 Act 20. The following table identifies the requested changes to base funding for the affected appropriations.

	Funding	Positions
GPR	- \$12,800	0.00
PR	33,800	0.20
FED	- 21,000	- 0.20
Total	0	0.00

Fund/Program	Affected Appropriations	Base		Change to Base			
		Appropriation	Position	Appropriation Authority		Position Authority	
				2015-16	2016-17	2015-16	2016-17
GPR							
Legal Services	General program operations	\$12,941,800	127.75	-\$108,900	-\$108,900	-1.00	-1.00
Law Enforcement Services	General program operations	19,651,100	203.43	12,500	12,500	0.05	0.05
Administrative Services	General program operations	5,317,800	48.00	90,000	90,000	0.95	0.95
	GPR Total	\$37,910,700	379.18	-\$6,400	-\$6,400	0.00	0.00
PR							
Legal Services	Interagency and intra-agency assistance	\$1,239,100	10.90	\$47,100	\$47,100	0.50	0.50
Law Enforcement Services	Terminal charges	2,349,900	5.00	59,900	59,900	1.25	1.25
	Drug law enforcement, crime laboratories, and genetic evidence activities	8,016,300	69.50	58,900	58,900	1.00	1.00
	Law enforcement training fund, state operations	3,046,700	23.32	16,900	16,900	-0.05	-0.05
	Interagency and intra-agency assistance	1,112,700	7.30	-88,600	-88,600	-1.50	-1.50
	Criminal history searches; fingerprint identification	4,592,700	38.01	-77,400	-77,400	-1.00	-1.00
	Interoperable communications system	1,022,200	2.00	7,600	7,600	0.15	0.15
	Wisconsin justice information sharing program	667,800	4.40	-14,900	-14,900	-0.25	-0.25
Victims and Witnesses	General operations; child pornography surcharge	0	0.00	7,400	7,400	0.10	0.10
	PR Total	\$22,047,400	160.43	\$16,900	\$16,900	0.20	0.20
FED							
Law Enforcement Services	Federal aid, state operations	\$2,627,600	20.38	-\$115,400	-\$115,400	-2.10	-2.10
Victim and Witnesses	Federal aid; victim assistance	7,233,200	2.60	-6,100	-6,100	0.00	0.00
	Federal aid, state operations relating to crime victim services	1,113,300	4.50	111,000	111,000	1.90	1.90
	FED Total	\$10,974,100	27.48	-\$10,500	-\$10,500	-0.20	-0.20

4. EXPENDITURE AUTHORITY REESTIMATES

PR	\$2,565,000
FED	- 2,232,000
Total	\$333,000

Request the following expenditure authority increases in program revenue appropriations to reflect current revenue projections and program needs:

a. \$470,000 PR annually to the Law Enforcement Services interagency and intra-agency assistance continuing appropriation. This appropriation generates revenue from monies received from other state agencies, as well as from transfers within the Department, to provide law enforcement services.

b. \$737,500 PR annually for the concealed carry licensure program and handgun purchaser record check program. The Firearms Unit of DOJ is charged with the responsibility of administering licenses to eligible individuals seeking to carry a concealed weapon in public. Additionally, the unit responds to requests from firearm dealers seeking to have a background check performed on a potential firearm purchaser. Funding for both the concealed carry licensure program and the handgun purchase record check program is generated from fees associated with applications, license renewal or replacement, and background checks.

c. \$75,000 PR annually for the sexual assault victim services (SAVS) grant program. The Department utilizes a combination of general purpose revenue and program revenue to administer annual grants to nonprofit organizations or public agencies that provide services for sexual assault victims. Program revenue for the SAVS program is generated from the child pornography surcharge, which is imposed on an individual 18 years of age or older who is sentenced or placed on probation for sexual exploitation of a child or possession of child pornography. The surcharge totals \$500 for each original or copy of a pornographic image associated with the crime.

Additionally, request the following expenditure authority changes in federal revenue appropriations to reflect current revenue projections:

- a. -\$91,000 FED annually to the Legal Services federal aid appropriation.
- b. \$1,000,000 FED annually to the Law Enforcement Services federal aid, state operations appropriation.
- c. -\$5,900,000 FED annually to the Law Enforcement Services federal aid, local assistance appropriation.
- d. \$150,000 FED annually to the Administrative Services indirect cost reimbursements appropriation. Indirect cost reimbursements are monies received from the federal government to support the indirect costs associated with administering federal grants and contracts. Indirect costs may include: administration, program implementation, position funding, payment of federal aid disallowances, and other purposes permitted by law.
- e. \$1,000,000 FED annually to the Victims and Witnesses federal aid; victim compensation appropriation.

f. \$3,015,000 FED annually to the Victim and Witnesses federal aid; victim assistance appropriation. Funding in this appropriation is utilized to fund state and local services aimed at providing support to crime victims.

g. -\$290,000 FED annually to the Victim and Witnesses federal aid, state operations relating to crime victim services appropriation. Funding in this appropriation is utilized to support the administration of crime victim services.

5. STATE JUSTICE ASSISTANCE GRANTS

Request \$2,000,000 PR annually and create a state justice assistance grant program which would replace existing grant programs. Under the proposed state justice assistance grant program (SJAG), DOJ would administer grants to state agencies, local units of government, and private organizations to: support the investigation, prosecution, or prevention of crime; enhance public safety; facilitate multi-jurisdictional or interagency information sharing relating to the justice system; support crime victims; reduce recidivism; or otherwise reduce crime. Annual funding for SJAG would be comprised \$1,463,000 from the justice information surcharge and \$537,000 from the penalty surcharge. The \$21.50 justice information surcharge is generally assessed with a court fee for the commencement or filing of certain court proceedings. The penalty surcharge is imposed when a court imposes a fine or forfeiture for most violations of state law or municipal or county ordinance, totaling 26% of the total fine or forfeiture.

	Funding	Positions
GPR	- \$992,000	0.00
PR	- 657,200	1.10
FED	- 156,200	- 1.00
Total	- \$1,805,400	0.10

In addition, request \$12,800 PR in 2015-16 and \$7,800 PR in 2016-17, and 0.10 PR position annually, to help administer SJAG. Furthermore, request \$78,100 PR annually and a corresponding -\$78,100 FED annually to convert 1.0 position from FED-funded to PR-funded. The converted position would also assist in administering SJAG. The requested funding and position authority would be provided to the law enforcement programs and youth diversion - administration appropriation. This appropriation is utilized to support the administration of law enforcement assistance grants. Program revenue for this appropriation is generated from the penalty surcharge.

Finally, request the elimination of the following grant programs and associated funding:

a. *Youth Diversion Grant Program.* The youth diversion grant program requires DOJ to enter into contracts with organizations for the diversion of youths from gang activities into productive activities, including placement in educational, recreational, and employment programs. Current law specifically directs DOJ to enter into the following contracts for the following amounts: (a) \$500,000 to an organization which provides services in a county having a population of 500,000 or more; (b) \$150,000 to an organization which provides services to Racine County; (c) \$150,000 to an organization which provides services to Kenosha County; (d) \$150,000 to an organization located in Ward 2 in the City of Racine; (e) \$150,000 to an organization which provides services to Brown County; and (f) \$100,000 to an unspecified organization (which DOJ has awarded to an organization in the City of Racine). Base funding for youth diversion contracts is \$321,000 GPR and \$672,400 PR. Program revenue for youth diversion contracts is generated from the penalty surcharge.

In addition to youth diversion contracts, the statutes specify that DOJ may not distribute more than \$300,000 annually from its interagency and intra-agency assistance PR appropriation to the organization it has contracted with which provides services to a county with a population of 500,000 or more for alcohol and other drug abuse education and treatment services for participants in that organization's youth diversion program. Base funding for this contract is \$281,600 PR.

b. *Law Enforcement Officer Grant Program.* The law enforcement officer grant program provides grants to cities to employ additional uniformed law enforcement officers whose primary duty is beat patrolling. To be eligible for a grant, a city must have a population of at least 25,000. The Department must make grant awards to the 10 eligible cities submitting applications that have the highest rates of violent crime index offenses in the most recent full calendar year for which data is available from the FBI's uniform crime reporting system. The Department may not make an annual grant in excess of \$150,000 to any one city. Base funding for law enforcement officer grants is \$1,224,900 PR. Program revenue for this grant program is generated from the justice information surcharge.

c. *Child Advocacy Center Grant Program.* The child advocacy center grant program requires DOJ to provide 14 annual grants of \$17,000 each to child advocacy centers in 14 counties listed in the following table. The statutes identify the grant recipients in 11 counties, while in Brown, Racine, and Walworth Counties the statutes do not specify the child advocacy center that must receive the annual grant.

<u>County</u>	<u>Child Advocacy Center</u>
Brown	Unspecified child advocacy center
Chippewa	Chippewa County Child Advocacy Center
Dane	Safe Harbor
Green	CHAT Room
Kenosha	Kenosha Child Advocacy Center
La Crosse	Stepping Stones
Marathon	Child Advocacy Center of Northeastern WI
Milwaukee	Child Protection Center
Racine	Unspecified child advocacy center
Rock	Care House
Walworth	Unspecified child advocacy center
Waukesha	CARE Center
Winnebago	Fox Valley Child Advocacy Center
Wood	Marshfield Child Advocacy Center

Child advocacy centers are intended to provide comprehensive services for child victims and their families by coordinating services from law enforcement and criminal justice agencies, child protective services, victim advocacy agencies, and health care providers. Grants awarded under the program typically fund multi-disciplinary teams of law enforcement, nurses, and victim advocates to record victim interviews and collect evidence in child sexual assault and child abuse cases. Base funding for the child advocacy center grant program is \$238,100 PR. Program revenue for this grant program is generated from the justice information surcharge.

d. *ShotSpotter Grant Program.* The grant program, created under 2013 Act 263, provides funding to the City of Milwaukee for its ShotSpotter program. The ShotSpotter program is a system of sensors that are installed throughout Milwaukee. When a gun is fired, installed sensors pick up the sound of the gun shot and transmit information on the location of the gun shot to police communications and squad cars equipped with special software. Base funding for the ShotSpotter grant program is \$175,000 GPR.

The following table summarizes the Department's request over the 2015-17 biennium:

	<u>GPR</u>	<u>PR</u>	<u>FED</u>	<u>PR Funding Source</u>
State Justice Assistance Grant Program				
Local grants		\$4,000,000		Justice information surcharge (\$2,926,000); Penalty surcharge (\$1,074,000)
Administration		176,800	-156,200	Penalty surcharge
Total		\$4,176,800	-\$156,200	
Eliminated Grant Programs				
Youth diversion	-\$642,000	-\$1,908,000		Penalty surcharge (-\$1,344,800); interagency and intra-agency assistance (-\$563,200)
Law enforcement officer		-2,449,800		Justice information surcharge
Child advocacy center		-476,200		Justice information surcharge
ShotSpotter	-350,000			
Total	-\$992,000	-\$4,834,000		
Request Total	-\$992,000	-\$657,200	-\$156,200	Justice information surcharge (\$0); penalty surcharge (-\$94,000); interagency and intra-agency assistance (-\$563,200)

6. TREATMENT ALTERNATIVES AND DIVERSION

	Funding	Positions
GPR	\$672,800	5.00

Request \$308,900 in 2015-16 and \$363,900 in 2016-17, and 5.0 positions annually, to administer and evaluate the treatment alternatives and diversion (TAD) grant program and drug court grant program. The TAD program provides grants to counties to establish and operate programs, including suspended and deferred prosecution programs and programs based on principles of restorative justice, which provide alternatives to prosecution and incarceration for criminal offenders who abuse alcohol or other drugs. The drug court grant program provides grants to counties without an established drug court in order for those counties to establish and operate a drug court. The requested positions would perform the following duties: (a) evaluate the TAD and drug court grant program as required under statute; (b) provide grant recipients technical assistance as they develop and implement their projects; and (c) provide fiscal oversight for the TAD and drug court grant program. [On November 12, 2014, the Joint Committee on Finance provided these 5.0 positions under the authority granted under s. 13.101 of the statutes, and required that a corresponding number of GPR positions be eliminated.]

7. GLOBAL POSITIONING SYSTEM GRANT PROGRAM

Request the elimination of the global positioning system (GPS) grant program. Under 2013 Act 20, a pilot program was created which would provide funding to counties to establish a GPS tracking program for individuals who are subject to a temporary restraining order or injunction for violations of domestic abuse or harassment. Act 20 provided DOJ \$250,000 GPR to administer the program in 2013-14 and no funding in 2014-15. Funding for the program was not expended. The Department indicates that, "state law does not confer upon the courts sufficient authority to carry out the GPS tracking system program; therefore, this program cannot be implemented under current law and should be eliminated."

8. LAW ENFORCEMENT OFFICER-INVOLVED DEATH INVESTIGATIONS

	Funding	Positions
PR	\$738,600	5.00

Request \$352,600 in 2015-16 and \$386,000 in 2016-17, and 5.0 positions annually, to investigate officer-involved deaths and review public records associated with those investigations. In order to perform the investigations, the Department requests 3.0 special agents. In addition, the Department requests 2.0 program and policy analysts to process public records requests relating to officer-involved death investigations.

Request that the Department's drug law enforcement, crime laboratories, and genetic evidence activities PR appropriation be modified to support criminal investigation operations. Under current law, this appropriation supports drug law enforcement, drug law violation prosecution, and activities of the state crime laboratories. Authorize the appropriation to fund the requested positions. Program revenue for this appropriation is generated from the crime laboratories and drug law enforcement surcharge and the DNA surcharge. The \$13 crime laboratories and drug law enforcement surcharge is generally assessed whenever the court imposes a sentence, places an individual on probation, or imposes a forfeiture for a violation of state law or for a violation of municipal or county ordinance. The DNA surcharge is assessed whenever the court imposes a sentence or places an individual on probation, totaling \$250 for each felony conviction and \$200 for each misdemeanor conviction.

Under 2013 Act 348, investigations into officer-involved deaths must be conducted by at least two investigators, of which one of whom is the lead investigator and neither of whom is employed by a law enforcement agency employing the officer involved in the death. According to the Department, as a result of Act 348, many law enforcement agencies have indicated that they intend to request that the Department's Division of Criminal Investigation (DCI) investigate officer-involved deaths (or officer-involved incidents resulting in serious injury) within the agency's jurisdiction. Prior to the enactment of Act 348, law enforcement agencies generally performed these investigations without the assistance of DCI. Following an officer-involved death investigation, the Department typically receives public records requests from parties such as the victim's family, the public, and the media.

9. LITIGATION SUPPORT TEAM

	Funding	Positions
PR	\$523,800	3.00

Request \$236,200 in 2015-16 and \$287,600 PR in 2016-17, and 3.0 positions annually, to develop a litigation support team within the Department's Bureau of Computing Services. The litigation support team would support business process automation for the Division of Legal Services. Specifically, members of the support team would assist with: organizing, sharing, and effectively utilizing organizational knowledge; document management; electronic discovery (e-discovery); and trial presentation. The support team would be comprised of four staff and one supervisor, including: 1.0 information systems (IS) supervisor position; 1.0 senior IS comprehensive services position; 2.0 IS comprehensive services specialist positions; and 1.0 IS comprehensive services consultant/administrator position. The Department currently has 1.0 IS supervisor position and 1.0 senior IS comprehensive services position. Funding for the request would be generated from attorney fees and investigation costs recovered by the Division of Legal Services from cases it litigates.

10. INTERAGENCY AND INTRA-AGENCY ASSISTANCE

PR	\$211,000
----	-----------

Request \$105,500 annually for the Legal Services interagency and intra-agency assistance annual appropriation. Revenue for this appropriation is generated when DOJ charges a state agency for legal services rendered on that agency's behalf. This appropriation also receives funding from a federal grant provided to the Department of Transportation (DOT) for a traffic safety resource prosecutor. [Since the grant is transferred to DOJ from DOT, DOJ receives funding as program revenue.] Base funding for this appropriation is \$1,239,100.

Request that the interagency and intra-agency assistance annual appropriation be converted to a continuing, all monies received, appropriation.

11. CONVERT TIME TERMINAL CHARGES PR APPROPRIATION TO CONTINUING

Request that the Law Enforcement Services terminal charges annual PR appropriation be converted to a continuing appropriation. Revenue for the terminal charges appropriation is generated from fees DOJ imposes on agencies for utilizing the Department's Transaction Information for the Management of Enforcement (TIME) system. Base funding for the terminal charges appropriation is \$2,349,900. The TIME system provides law enforcement agencies electronic access to the following information: state and national wanted, missing, and unidentified persons; stolen motor vehicles; identifiable stolen property; driver and vehicle registration files; state and national criminal history; the sex offender registry maintained by the Department of Corrections; persons subject to protection orders; as well as other information of interest to law enforcement for officer safety.

12. CONVERT DELINQUENT OBLIGATION APPROPRIATION TO CONTINUING

Request that the Legal Services delinquent obligation collection PR appropriation be converted from an annual appropriation to a continuing, all moneys received, appropriation. Under current law, the Department must: (a) monitor cases filed in bankruptcy courts in Wisconsin and other states; (b) notify state departments that may be affected by those bankruptcy cases; and (c) represent the interests of the state in bankruptcy cases and related adversary proceedings. All obligations collected by DOJ while performing its delinquent obligation collection duties are first paid to the Department of Administration, and then deposited to the appropriate fund. The Department of Administration credits an amount equal to the reasonable and necessary expenses incurred by DOJ as a result of its collection responsibilities to DOJ's delinquent obligation collection appropriation. Base funding for this appropriation is \$7,000. The Department estimates that \$6,500 per year will be deposited in the appropriation in 2015-17 biennium.